

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Baron Richard Farmer, Jr.
722 Briarfield Road
Rock Hill, South Carolina 29730.

SCDOI File Number 2003-118622

**Order Declaring Eligibility
for Relicensure**

This matter comes before me pursuant to an "Application for Individual License" filed by Baron Richard Farmer, Jr., a South Carolina resident who previously had been licensed to transact insurance business as an insurance agent within the State of South Carolina.

On May 26, 2000, the Department notified Farmer by regular and certified mail to the address listed above that Monumental Life Insurance Company had alleged he had failed to forward \$1,313.10 in premium to the insurer in violation of § 38-43-130 (3) of the South Carolina Code. When Farmer failed to respond to this notice, the Department notified Farmer by regular and certified mail to the address listed above that his license would be summarily revoked unless he requested a public hearing to contest the allegations made against him. Farmer failed to respond. Accordingly, I held Farmer in default and summarily revoked his license on November 8, 2000.

In June of 2003, seven months after he became statutorily eligible to reapply for a license, Farmer filed an "Application for Individual License" with an appointment request from Monumental Life. Monumental Life supported the appointment in writing, indicating that Farmer had resolved his deficiency. My previous revocation order specifically prohibited the Department from issuing a license to Farmer, so the Department denied the Application. Farmer requested a review of that denial. Simultaneously, Monumental Life informed the Department in writing that, following a later review of the deficiency documentation submitted in 2000, Monumental had reduced the alleged deficiency amount to \$437.07, Farmer had paid that amount in full, and the insurer still wished to appoint Farmer.

After a thorough review of the record before me, I hereby find and conclude as a matter of fact that Farmer failed to timely forward premium to an insurance company in violation of § 38-43-130 of the South Carolina Code, an act that constitutes "deceiving or dealing unjustly with the citizens of this State." That Code provision also states, "the Director may...refuse to reissue a license when it appears that an agent has...violated [the insurance laws]...of this State." Accordingly, I hereby find the Department acted appropriately in revoking Farmer's previous license and refusing to issue him another license.

However, because the insurer seeking to appoint him is the very insurer that complained of his failure to forward premium, because it now appears that any outstanding deficiency has been satisfied in full, because my previous revocation order was based on default rather than the merits of the complaint, because Farmer does not appear to have violated any other insurance law of South Carolina, and because Farmer has satisfied more than the minimum waiting period before requesting to be relicensed, I will consider this matter as if the original complaint had been withdrawn.

It is, therefore, ordered that Baron Richard Farmer, Jr., be allowed to transact business as a South Carolina resident insurance producer, provided he meets the necessary statutory requirements and is otherwise eligible to do so.

It is further ordered that a copy of this order be immediately transmitted to the National Association of Insurance Commissioners for its distribution to its member states and a copy be placed in Farmer's licensing file.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2002) Nothing contained within this administrative order should be construed to limit, or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement officer or judicial officer. Nothing contained within this administrative order should be construed to limit the statutory duty of the Director, exercised either directly or through the Department, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110(4) (2002).

This order takes effect upon the date of my signature below.

A handwritten signature in black ink, appearing to read "E.N. Csiszar", with a long, sweeping horizontal stroke extending to the right.

Ernst N. Csiszar
Director of Insurance

July 24, 2003, at
Columbia, South Carolina